

ASSEMBLY BILL

No. 1146

Introduced by Assembly Member Norby

February 18, 2011

An act to amend Sections 84300 and 84304 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1146, as introduced, Norby. Political Reform Act of 1974: contribution limits.

Existing law prohibits cash contributions or anonymous campaign contributions of \$100 or more to a candidate, committee, or other person in a calendar year. Existing law also prohibits cash campaign expenditures of \$100 or more.

This bill would find that the current limit of \$100 was established more than 30 years ago and would raise the minimum campaign contribution and expenditure reporting limit to \$200 to align it with the limit applicable under federal law to campaign disclosures.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (A) Under the Federal Election Campaign Act (U.S.C. Sec. 431
4 et seq.), political committees for federal campaigns must disclose
5 contributions having an aggregate amount, in a calendar year, of
6 two hundred dollars (\$200).

7 (B) The current one hundred dollar (\$100) limit for cash or
8 anonymous contributions for California campaigns under the
9 Political Reform Act of 1974 was established more than 30 years
10 ago.

11 (C) An increase in the limit for cash or anonymous contributions
12 under the Political Reform Act of 1974 is necessary to maintain
13 the limit at a level consistent with that set at the time the act was
14 enacted.

15 SEC. 2. Section 84300 of the Government Code is amended
16 to read:

17 84300. (a) No contribution of ~~one~~ two hundred dollars ~~(\$100)~~
18 ~~(\$200)~~ or more shall be made or received in cash.

19 A cash contribution shall not be deemed received if it is not
20 negotiated or deposited and is returned to the contributor before
21 the closing date of the campaign statement on which the
22 contribution would otherwise be reported. If a cash contribution,
23 other than a late contribution, as defined in Section 82036, is
24 negotiated or deposited, it shall not be deemed received if it is
25 refunded within 72 hours of receipt. In the case of a late
26 contribution, as defined in Section 82036, it shall not be deemed
27 received if it is returned to the contributor within 48 hours of
28 receipt.

29 (b) No expenditure of ~~one~~ two hundred dollars ~~(\$100)~~ ~~(\$200)~~
30 or more shall be made in cash.

31 (c) No contribution of ~~one~~ two hundred dollars ~~(\$100)~~ ~~(\$200)~~
32 or more other than an in-kind contribution shall be made unless
33 in the form of a written instrument containing the name of the
34 donor and the name of the payee and drawn from the account of
35 the donor or the intermediary, as defined in Section 84302.

36 (d) The value of all in-kind contributions of ~~one~~ two hundred
37 dollars ~~(\$100)~~ ~~(\$200)~~ or more shall be reported in writing to the
38 recipient upon the request in writing of the recipient.

1 SEC. 3. Section 84304 of the Government Code is amended
2 to read:

3 84304. No person shall make an anonymous contribution or
4 contributions to a candidate, committee, or any other person
5 totaling ~~one~~ *two* hundred dollars ~~(\$100)~~ *(\$200)* or more in a
6 calendar year. An anonymous contribution of ~~one~~ *two* hundred
7 dollars ~~(\$100)~~ *(\$200)* or more shall not be kept by the intended
8 recipient but instead shall be promptly paid to the Secretary of
9 State for deposit in the General Fund of the state.

10 SEC. 4. The Legislature finds and declares that this bill furthers
11 the purposes of the Political Reform Act of 1974 within the
12 meaning of subdivision (a) of Section 81012 of the Government
13 Code.